



MS 16  
PATENT  
0054-0215P

IN THE U.S. PATENT AND TRADEMARK OFFICE

Applicant: MOTTIER, et al. Conf.: 6255  
Appl. No.: 09/624,857 Group: 2664  
Filed: July 24, 2000 Examiner: C. SHAH  
For: METHOD OF ASSIGNING A SPREADING SEQUENCE TO A USER OF  
A TELECOMMUNICATIONS NETWORK  
Patent No.: Issued:  
Control No.:  
ATTN: REFUND SECTION  
ACCOUNTING DIVISION  
OFFICE OF FINANCE

REQUEST FOR REFUND  
(Improper Charge of Deposit Account)

MS 16

Director of the U.S. Patent  
and Trademark Office  
P.O. Box 1450  
Alexandria, VA 22313-1450

December 7, 2004

Sir:

I. REFUND REQUEST

This is a request for a refund with respect to the fees paid in the above--  
identified application on November 16, 2004 for the above-identified

☒ application ☐ patent

COPY

## II. FEES CHARGED FOR WHICH REFUND REQUESTED

	AMOUNT OF REFUND <u>REQUESTED</u>
<input type="checkbox"/> filing fee	_____
<input type="checkbox"/> surcharge for filing the basic filing on a date later than the filing date of the application (37 C.F.R. § 1.16(e))	_____
and/or	
<input type="checkbox"/> surcharge for filing the oath or declaration on a date later than the filing date of the application (37 C.F.R. § 1.16(e))	_____
<input checked="" type="checkbox"/> extension of term	
<input checked="" type="checkbox"/> first month	110.00
<input type="checkbox"/> second month	_____
<input type="checkbox"/> third month	_____
<input type="checkbox"/> fourth month	_____
<input type="checkbox"/> excess claims	_____
<input type="checkbox"/> issue fee	_____
<input type="checkbox"/> petition fee	_____
<input type="checkbox"/> patent maintenance fee	
<input type="checkbox"/> first maintenance fee	_____
<input type="checkbox"/> second maintenance fee	_____
<input type="checkbox"/> third maintenance fee	_____
<input type="checkbox"/> patent maintenance fee surcharge	_____
<input type="checkbox"/> Other: _____	_____
_____	_____
TOTAL REFUND REQUESTED	<u>\$110.00</u>

III. EXPLANATION OF WHY CONTESTED CHARGE IS IN ERROR

A check was submitted with the RCE filed on 11/16/04 in the amount of \$1,220.00 covering \$790 filing fee and \$430 extension fees. An extension of one(1) month was already previously paid on October 4, 2004 with the Amendment after final. Therefore, only \$320.00 was necessary to extend the period for response a second month and a \$110.00 refund is respectfully requested.

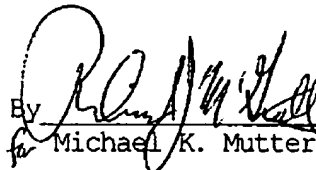
IV. MANNER OF REFUND

Please make refund by crediting Account No. 02-2448.

We respectfully request that the attached copy of this letter be returned to us with an indication that the credit has been processed.

Respectfully submitted,

BIRCH, STEWART, KOLASCH & BIRCH, LLP

By   
for Michael K. Mutter, #29,680

MKM/RJM/kmr  
0054-0215P

P.O. Box 747  
Falls Church, VA 22040-0747  
(703) 205-8000

Attachment(s)



*Dep & Ref*

Docket No.: 0054-0215P  
(PATENT)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of:  
David MOTTIER et al.

Application No.: 09/624,857

Confirmation No.: 6255

Filed: July 24, 2000

Art Unit: 2664

For: METHOD OF ASSIGNING A SPREADING  
SEQUENCE TO A USER OF A  
TELECOMMUNICATIONS NETWORK

Examiner: C. G. Shah

STATUS INQUIRY REGARDING REQUEST FOR REFUND


MS 16  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

It is respectfully requested that the attorney named below be advised of the status of the Request for Refund filed in the above-identified application on December 7, 2004. A copy of the Request for Refund is enclosed for your convenience. Please advise us of when we might expect to receive the requested refund in the amount of \$110.00 from the Patent and Trademark Office.

Dated: October 6, 2005

Respectfully submitted,

By   
Michael R. Cammarata  
Registration No.: 39,491  
BIRCH, STEWART, KOLASCH & BIRCH, LLP  
8110 Gatehouse Rd  
Suite 100 East  
P.O. Box 747  
Falls Church, Virginia 22040-0747  
(703) 205-8000  
Attorney for Applicant

Attachment: Request for Refund filed December 7, 2004

Birch, Stewart, Kolasch & Birch, LLP

  
MRC/RJM/slb

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RCE #  
JTW  
MS RCE  
PATENT  
0054-0215P

IN THE U.S. PATENT AND TRADEMARK OFFICE

Applicant: MOTTIER, et al. Conf.: 6255  
Appl. No.: 09/624,857 Group: 2664  
Filed: July 24, 2000 Examiner: C. Shah  
For: METHOD OF ASSIGNING A SPREADING SEQUENCE  
TO A USER OF A TELECOMMUNICATIONS  
NETWORK

REQUEST FOR CONTINUED EXAMINATION  
UNDER 37 C.F.R. § 1.114

**MS RCE**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

November 16, 2004

Sir:

This is a "Request for Continued Examination" under 37 C.F.R. § 1.114, the provisions of which do not apply to:

(1) A provisional application; (2) An application for a utility or plant patent filed under 35 U.S.C. 111(a) before June 8, 1995; (3) An international application filed under 35 U.S.C. §363 before June 8, 1995; (4) An application for a design patent; or (5) A patent under reexamination.

Submission of an RCE is limited to an application in which prosecution is closed; e.g. final rejection, Ex Parte Quayle; or notice of allowability

☒ This Request for Continued Examination is being filed prior to the earliest of:

(1) Payment of the issue fee, unless a petition under § 1.313 is granted; (2) Abandonment of the application; or (3) The filing of a notice of appeal to the U.S. Court of Appeals for the Federal Circuit under 35 U.S.C. § 141, or the commencement of civil action under 35 U.S.C. §§ 145 or 146, unless the appeal or civil action is terminated.

☐ The enclosed document is being transmitted via the Certificate of Mailing provisions of 37 C.F.R. § 1.8.

11/17/2004 EABUBAK1 00000043 09624857

01 FC:1801 790.00 OP  
02 FC:1252 430.00 OP

11/18/2005 SDIRETA1 00000004 09624857

01 FC:1252 320.00 OP

Adjustment date: 11/18/2005 SDIRETA1  
11/17/2004 EABUBAK1 00000043 09624857  
02 FC:1252 -430.00 OP

Repln. Ref: 11/18/2005 SDIRETA1 0008140200  
DA#:022448 Name/Number:09624857  
FC: 9204 \$110.00 CR

☐ The enclosed document is being transmitted via facsimile.

☒ **Submission Required under 37 C.F.R. § 1.114:**

☐ Do **NOT** enter the After Final Amendment(s) previously filed on \_\_\_\_\_ under 37 C.F.R. § 1.116.

Enter as part of the present submission:

☒ The After Final Amendment(s) previously filed on October 4, 2004, under 37 C.F.R. § 1.116 but unentered, in the present application.

☐ Arguments in the Appeal Brief or Reply Brief previously filed on \_\_\_\_\_.

☐ A Reply Under Rule 1.111, attached hereto. Claim fee(s) are calculated as set forth below:

	TOTAL NUMBER OF CLAIMS PREVIOUSLY PAID FOR	TOTAL NUMBER OF CLAIMS BEING FILED HEREWITH	<b><u>NUMBER EXTRA</u></b>	Large Entity		Small Entity	
				Rate	Fee	Rate	Fee
Total Claims	20	17 =		X 18	\$	X 9	\$
Independent Claims	3	2 =		X 88	\$	X 44	\$
<input type="checkbox"/> FIRST PRESENTATION OF A MULTIPLE DEPENDENT CLAIM				300	\$	150	\$
<b>TOTAL CLAIM FEE(S)</b>						<b>\$0.00</b>	

☐ An Information Disclosure Statement (IDS) and PTO-1449 form(s) is/are attached hereto for the Examiner's consideration.

☐ Other:

☐ **Miscellaneous**

☐ Suspension of action on the above-identified application is requested under 37 C.F.R. § 1.103(c) for a period of ( ) months. (Period of suspension shall not exceed 3 months.)

☒ **Fees**

The required fee under 37 C.F.R. § 1.17(e) as required by 37 C.F.R. § 1.114 when the RCE is filed, is enclosed herewith:

- ☐ \$395.00 - small entity  
☒ \$790.00 - large entity

☒ The applicant(s) hereby petition(s) for an extension of two (2) month(s) pursuant to 37 C.F.R. §§ 1.17 and 1.136(a). The fee has been calculated as shown below:

☒ NO extensions of time have been previously obtained in the prior application. Thus, a fee of \$430.00 is required for the full period of the above-requested extension of time.

☐ An extension of ( ) month(s) was previously requested and paid for on in the instant application. Thus, a fee of \$0.00 is required to obtain an additional ( ) month(s) extension.

☐ The fee of \$130.00 under 37 C.F.R. § 1.17(i) for suspension of action is enclosed.

☒ Enclosed is(are) check(s) in the total amount of \$1,220.00 for the applicable filing fee, additional claims fee, suspension fee, and/or extension fees.

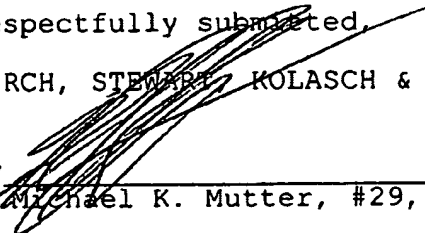
☐ Please charge Deposit Account No. 02-2448 in the amount of \$0.00. A triplicate copy of this sheet is attached.

If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies, to charge payment or credit any overpayment to Deposit Account No. 02-2448 for any additional fees required under 37 C.F.R. §§1.16 or 1.17; particularly, extension of time fees.

Respectfully submitted,

BIRCH, STEWART, KOLASCH & BIRCH, LLP

By

  
Michael K. Mutter, #29,680

MKM/RJM/kmr  
0054-0215P

P.O. Box 747  
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Attachment(s)